

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

COY BERRY,

Plaintiff,

VS.

JAMES MASHBURN FITTS, *et al*,

Defendants.

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CIVIL ACTION NO. C-09-3


**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO GRANT
DEFENDANTS' MOTIONS FOR SUMMARY JUDGMENT**

On December 14, 2009, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that the motions for summary judgment of defendant Dr. Fitts (D.E. 38) and defendant Mr. Burgin (D.E. 39) be granted, and that plaintiff's claims against defendants be dismissed with prejudice. Seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that defendants' motions for summary judgment are granted and plaintiff's claims are dismissed with prejudice.

The clerk shall enter this order and provide a copy to all parties.

SIGNED and ORDERED this 22nd day of January, 2010.


Janis Graham Jack
United States District Judge